

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicant's Attorney Gregory P. Durbin (Reg. No. 42,503) on March 11, 2008.

AMENDMENTS TO THE CLAIMS

Listing of the Claims:

Claims 10-12 and 26-27 have been cancelled.

Claims 1, 9, 18, 19, 21, 30, and 32-38 have been amended as follow:

Claim 1. (Currently Amended) A system for providing node targeted content in an addressable network, comprising:

- an access request receipt module;

- a module configured to provide information in response to the access request, wherein the information comprises a given quantity of data;

- a module configured to present a viewable portion of at least one message prior to completing display of the information based upon the quantity of data to be received and the network bandwidth;

- a message selection module providing at least one message choice option; and

- a user profile containing user demographic information, program participation parameters including rules for disseminating the user demographic information, and a participation credit, wherein the user demographic information includes an e-mail address associated with the user.

Art Unit: 2143

Claim 9. (Currently Amended) A system for providing node targeted content in an addressable network, comprising:

a web browser configured to receive and communicate a request to connect with a network node identified by a uniform resource locator and in response thereto to receive and present information provided by the network node, wherein the information comprises a given quantity of data; and

a first module configured to determine a time period available for presenting a viewable portion of one or more messages, wherein the time period comprises an approximate quantity of time needed for the web browser to establish the connection with the network node and to retrieve and present a viewable portion of the information based upon the quantity of data to be received and network bandwidth;

a second module configured to present at least one message during the time period; and

a message selection module providing, in response to a connection request, at least one option for choosing a message content category;

whereby upon selecting at least one message content category, at least one message associated with a chosen message content category is presented to the user during the time period; and

a third module configured to present an option to a user to participate in an on-line program facilitating the providing of node targeted content.

Claim 18. (Currently Amended) The system of claim 17, wherein the user ~~profile~~ demographic information is stored at a node remote to the web browser.

Claim 19. (Currently Amended) The system of claim ~~[[16]]~~ 17, wherein the user ~~profile~~ demographic information is derived from Internet usage.

Art Unit: 2143

Claim 21. (Currently Amended) A method for providing one or more messages to an Internet user, during an Internet session, comprising:

receiving a request from an Internet user, during a current Internet session, to establish a connection with a first Internet site, the request including an address identifying content available from an Internet site;

estimating a first time period necessary to retrieve the content from the Internet site, the first time period based upon the amount of content requested and upon a monitoring of communications between a server hosting the first Internet site and a web browser receiving the information;

identifying, in response to the request, at least one message choice option to present to the Internet user;

processing an identification by a user of at least one of the at least one message choice option; and

responsive to the identification and the estimated time of the first time period, retrieving and presenting a detectable portion of at least one message associated with the at least one message choice option during at least a portion of the first time period; wherein the user is identified based upon demographic information provided by a registrar web site.

Claim 30. (Currently Amended) The method of claim 28, wherein the message is terminated based upon a monitoring of communications between a server hosting the first ~~module~~ Internet site and a web browser receiving the information.

Claim 32. (Currently Amended) The system of claim 9, wherein the time period is further determined based upon an operating speed of the network node providing the information.

Claim 33. (Currently Amended) The system of claim 32, wherein the time period is further determined based upon an amount of information to be presented.

Claim 34. (Currently Amended) The system of claim 33, wherein the time period is further determined based upon a determination of network congestion.

Claim 35. (Currently Amended) The system of claim 9, wherein the time period is further determined based upon a configuration of a data communications path from the network node providing the information to the web browser.

Claim 36. (Currently Amended) The system of claim 34, wherein the time period is further determined based upon bandwidth of the data communications path.

Claim 37. (Currently Amended) The system of claim 9, wherein the time period is further determined based upon a communications protocol utilized in the addressable network.

Claim 38. (Currently Amended) The system of claim 1 wherein the expected time period is further determined based upon an operating speed of a processor used to execute the module configured to present the at least one message.

Allow Subject Matter

1. This office action is in response to the amendment filed on January 8, 2008 and was interviewed on March 11, 2008.
2. Applicant amended claims 1, 9, 18, 19, 21, 30, 32-38, and cancelled claims 10-12, 26-27.

Art Unit: 2143

3. Claims 1-9, 13-25, and 28-40 (currently renumbered as claims 1-35 are allowable over the prior art of record.
4. This communication warrants no examiner's reason for allowance, as applicant's reply makes evident the reason for allowance, satisfying the record as whole as required by rule 37 CFR 1.104 (e). In this case, the substance of applicant's remarks in the Amendment filed on January 8, 2008 and further amended claim limitations in the Examiner's Amendment (see attached) point out the reason claims are patentable over the prior art of record. Thus, the reason for allowance is in all probability evident from the record and no statement for examiner's reason for allowance is necessary (see MPEP 13202.14).
5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2143

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/Phuoc H Nguyen/
Primary Examiner, Art Unit 2143

March 14, 2008